

Application No.: 10/686,811Docket No.: 2038-301REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-8 and 10-21 are pending in the application. Claim 2 has been rewritten in independent form including all limitations of base claim 1. Claim 18 has been rewritten in independent form including limitations of base claim 16. Claims 1, 6, 16 and 18 have been amended to better define the claimed invention. Claim 9 has been cancelled without prejudice or disclaimer. Claim 12 has been amended to reflect the amended language of base claim 6. New claim 21 has been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The *35 U.S.C. 112, second paragraph* rejection of claims 6-20 is noted. Although Applicants do not necessarily agree with the Examiner's rejection, independent claims 6, 16, and 18 have been amended to remove the wording being held indefinite, i.e., "branches." Withdrawal of the *35 U.S.C. 112, second paragraph* rejection in view of the above amendments is believed appropriate and therefore courteously solicited.

The *35 U.S.C. 103(a)* rejection of claims 1-3, 6-10, 12-13 and 16-19 under *35 U.S.C. 103(a)* as being obvious over *Bauer* in view of *JP-2002-035033* and *JP-50-21845* is noted.

Applicants respectfully traverse the rejection of at least claims 2, 12 and 18, because the references singly or in combination do not teach or suggest that each diaper is **further folded** along the **second folding lines** recited in claims 2, 12 and 18. The highlighted claim feature finds solid support in the application as filed, e.g., at lines 32 in FIG. 7. As a result of the further folding of each diaper along the second folding lines, in addition to the folding along the first folding lines (illustrated at 30 in FIG. 7), the diaper is compactly folded, as shown in the exemplary embodiment

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of FIG. 6. *See*, for example, page 17, lines 17-21 and page 19, lines 18-23 of the specification.

The Examiner relied on *JP-2002-035033* and *JP-50-21845* for the claimed first folding lines. However, the references do not fairly teach or suggest the claimed second folding lines. *See*, for example, FIG. 7 of *JP-2002-035033*. Although *JP-50-21845* appears to teach an additional, longitudinal folding line in FIG. 5, the additional, longitudinal folding line appears to be used only during manufacture of the diaper for facilitating the folding along lines 9a, 9b (FIG. 5). It should be noted that the claims of the instant application are directed to packaged diapers, rather than diapers being manufactured. Therefore, the relevant teaching of *JP-50-21845* must be the diaper shown in FIG. 1, which is not folded along the additional, longitudinal folding line; it is only folded along lines 9a, 9b.

For the reasons advanced above, Applicants respectfully submit that claims 2, 12 and 18 are not obvious over the applied references, and request withdrawal of the rejection.

The independent claims have been amended to overcome the Examiner's obviousness rejection.

In particular, amended independent claim 1 now additionally recites that "each of said diapers, including the respective liquid-absorbent core, is folded at both lateral portions of said crotch region's bottom along a pair of fold-guiding lines which do not intersect each other, each of said fold guiding lines bifurcating from a transversely middle zone toward higher points of said leg-hole." In other words, amended claim 1 requires, among other things, that the **absorbent core be folded**, together with the crotch region's bottom, along **non-intersecting** folding lines.

The highlighted limitations are not deemed disclosed or suggested by any of the applied references. For example, *Bauer* fails to set forth any folding line, as correctly noted by the Examiner in the rejection. *JP-50-21845* fails to teach or suggest the former limitation, because the absorbent core of *JP-50-21845*, i.e., element 3 in FIG. 2, is not folded along lines 9a and 9b as can

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be seen in FIG. 1. With respect to the later limitation, the folding lines L1, L2 of *JP-2002-035033* clearly intersect each other as can be seen in FIG. 7. The applied references, especially *JP-2002-035033* and *JP-50-21845*, are not combinable to include the newly claimed limitations, lacking an adequate suggestion or motivation, either in the references themselves or in the knowledge generally available in the art, to do so.

Accordingly, Applicants respectfully submit that amended independent claim 1 is patentable over the applied art of record. Claims 3-5 depend from claim 1, and should be considered patentable at least for the reasons advanced with respect to amended claim 1.

Amended independent claim 6 now additionally recites that "transversely opposite lateral portions of the crotch region and the liquid-absorbent core are folded inwardly of the diaper, along a pair of folding lines, respectively; and each of said folding lines has a V shape including two sections extending from an apex a middle zone of said crotch region upwardly towards the front and rear regions, respectively, the apexes of the folding lines being spaced one from another in a transverse direction of the diaper so that the folding lines do not intersect or otherwise touch each other." In other words, amended claim 6 requires, among other things, that the **absorbent core be folded along a pair of V-shaped folding lines having apexes spaced one from another.**

The highlighted limitations are not deemed disclosed or suggested by any of the applied references. For example, *Bauer* fails to set forth any folding line, as correctly noted by the Examiner in the rejection. *JP-50-21845* fails to teach or suggest the former limitation, as argued with respect to amended claim 1. With respect to the later limitation, the folding lines L1, L2 of *JP-2002-035033* clearly have a common apex as shown in FIG. 7, rather than two spaced apexes as presently claimed. The applied references, especially *JP-2002-035033* and *JP-50-21845*, are not combinable to include the newly claimed limitations, lacking an adequate suggestion or motivation, either in the references themselves or in the knowledge generally available in the art, to do so.

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Accordingly, Applicants respectfully submit that amended independent claim 6 is patentable over the applied art of record. Claims 7-8, 10-15 and 21 depend from claim 6, and should be considered patentable at least for the reasons advanced with respect to amended claim 6. Claim 12 is also patentable on its own merit as argued *supra*.

Amended independent claim 16 now additionally recites that "transversely opposite lateral portions of the crotch region and the liquid-absorbent core are folded along a pair of folding lines and tucked inwardly of the diaper; and each of said folding lines being completely located on one side of and spaced from a central longitudinal line of said diaper." In other words, amended claim 16 requires, among other things, that the **absorbent core be folded along a pair of folding lines spaced from a central longitudinal line of said diaper.**

The highlighted limitations are not deemed disclosed or suggested by any of the applied references. For example, *Bauer* fails to set forth any folding line, as correctly noted by the Examiner in the rejection. *JP-50-21845* fails to teach or suggest the former limitation, as argued with respect to amended claim 1. With respect to the later limitation, at least one of the folding lines L1, L2 of *JP-2002-035033* clearly intersects or otherwise touches a central longitudinal line (not shown in the figures) of the diaper. The applied references, especially *JP-2002-035033* and *JP-50-21845*, are not combinable to include the newly claimed limitations, lacking an adequate suggestion or motivation, either in the references themselves or in the knowledge generally available in the art, to do so.

Accordingly, Applicants respectfully submit that amended independent claim 16 is patentable over the applied art of record. Claims 17 and 19-20 depend from claim 16, and should be considered patentable at least for the reasons advanced with respect to amended claim 16.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable

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indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.


Respectfully submitted,

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